

REMARKS

By the present Amendment, claims 8 and 13 have been canceled without prejudice or disclaimer. Claims 1-7, 9 and 11 are all the claims pending in the application. Claims 1-9, 11 and 13 presently stand rejected.

Formal Matters

The Examiner has returned the initialed Form PTO/SB/08 filed with the Information Disclosure Statement on January 6, 2009. However, the Examiner indicated that the Foreign Office Action was not received. Accordingly, Applicant has provided herewith a copy of the Foreign Office Action.

The Examiner has indicated acceptance of the drawing figures filed March 24, 2009.

Claim Rejection Under 35 U.S.C. § 112

Claims 3-6 and 7/2 are rejected under 35 U.S.C. § 112, second paragraph.

With respect to independent claim 3, the Examiner asserts that there is no antecedent basis for the recitation “the one of the protruding portions.” Without conceding to the merits of the Examiner’s rejection, claim 3 has been amended, as set forth above, thereby rendering the Examiner’s rejection moot.

With respect to claim 7, the Examiner asserts that it is unclear whether the joined portion of claim 1 or that of claim 2 is referred to in claim 7. Without conceding to the merits of the Examiner’s rejection, claim 7 has been amended, as set forth above, to recite “joined portion *that is provided around the protruding portion*” (i.e., joined portion of claim 1). Thus, Applicant respectfully submits that the Examiner’s rejection is now moot.

Claim Rejections Under 35 U.S.C. § 102

Claims 1, 2, 7-9 and 13 are rejected under 35 U.S.C. § 102(b) as being anticipated by JP 10-67209 to Wakamatsu. Applicant respectfully traverses all of these rejections.

As an initial matter, Applicant notes that claims 8 and 13 have been canceled without prejudice or disclaimer and, therefore, the Examiner's rejections of claims 8 and 13 are now moot.

Further, without conceding to the merits of the Examiner's rejections, claim 1 has been amended, as set forth above, to recite (among other things):

...in which a continuous decorative portion,
and protruding portions are arranged on at least
one of the sidewalls,

wherein the continuous decorative portion
includes serrations having a pattern of tops and
bottoms which continue with each other...

With respect to independent claim 1, it appears to be the Examiner's position that the various serrated regions within the outline of the letters shown in FIG. 5 of Wakamatsu correspond to the recited "decorative portion." However, the Examiner acknowledges that these discrete pieces of Wakamatsu would not read on the language of claim 1 if claim 1 were amended to recite a *continuous* decorative portion, as set forth above (07/22/09 Office Action, page 4).

Therefore, Applicant respectfully submits that amended claim 1 is not anticipated by Wakamatsu for *at least* these reasons. Moreover, Applicant submits that claims 2, 7 and 9 are patentable *at least* by virtue of their dependency. Thus, Applicant respectfully requests that the Examiner withdraw all of these rejections.

Claim Rejections Under 35 U.S.C. § 103

Claims 3, 4 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wakamatsu. Claims 5 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wakamatsu and further in view of JP 2000-255224 and optionally Ratliff, Jr. (US 5,807,446). Applicant respectfully traverses all of these rejections.

Without conceding to the merits of the Examiner's rejections, claim 3 has been amended, as set forth above, to include recitations similar to those discussed above regarding claim 1. Similar to claim 1, the Examiner acknowledges that Wakamatsu would not read on the language of claim 3 if claim 3 were amended to recite a *continuous* decorative portion, as set forth above (07/22/09 Office Action, page 4).

Further, JP 2000-255224 and Ratliff, Jr. fail to remedy the deficient teachings of Wakamatsu. Therefore, Applicant respectfully submits that claim 3 is patentable over the cited references for *at least* these reasons and that the dependent claims 4-6 and 11 are patentable *at least* by virtue of their dependency. As such, Applicant respectfully requests that the Examiner withdraw these rejections.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
Application No.: 10/500,191

Attorney Docket No.: Q82273

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

John M. Bird by

/Andrew J. Taska / Reg. No. 54,666

Andrew J. Taska

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 22, 2009